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PTO/SB/07 (05-03)

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Response to Restriction Requirement (2 pages)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**RECEIVED****CENTRAL FAX CENTER****OCT 26 2004**

In re Application: Glenn Pierce et al.

Serial No.: 10/804,943

Filed: March 19, 2004

Art Unit: 3765

Confirmation No.: 8072

**For: SYSTEM AND METHOD FOR CONTROLLING WIDTH AND STITCH DENSITY
OF A FABRIC WEB**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Office Action mailed September 28, 2004, Applicant hereby provisionally elects the species illustrated by Figure 3 (Claim 29) for prosecution in the above-identified application.

If any fees for the accompanying response are required, Applicant requests that this be considered a Petition therefore. The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account 09-0528.

Remarks

The Office Action requires election of a single disclosed species for prosecution on the merits. The Examiner considers the species illustrated in Figures 3 and 4 to be patentably distinct species of the same invention, and claim 28 to be generic and linking the claims drawn to the species illustrated in Figures 3 and 4.

Applicant believes that Claims 29-30, 32-37, 39-40 and 42-48 are consistent with the Examiner's categorization of the provisionally elected species illustrated in Figure 3. Applicant understands that upon allowance of a generic claim, Applicant will be entitled to consideration of

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provisionally non-elected Claims 31, 38, 41, and 49-52 if these claims are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141.

Immediate examination of Claims 1-28, 29-30, 32-37, 39-40, 42-48 and 53-79 is hereby requested.

Respectfully submitted,


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